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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/620,549	07/16/2003	Peter Seitz	13027.0043US01	8444
23552 7590 01/23/2010 MERCHANT & GOULD PC P.O. BOX 2903 MINNEAPOLIS, MN 55402-0903			EXAMINER DICUS, TAMRA	
			ART UNIT 1794	PAPER NUMBER
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**Please find below and/or attached an Office communication concerning this application or proceeding.**

The time period for reply, if any, is set in the attached communication.

UNITED STATES PATENT AND TRADEMARK OFFICE

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BEFORE THE BOARD OF PATENT APPEALS  
AND INTERFERENCES

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*Ex parte* PETER SEITZ

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Application 10/620,549  
Technology Center 1700

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Mailed: January 25, 2010

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Before *JOYCE GUNTER-RILEY, Review Paralegal.*  
GUNTER-RILEY, Review Paralegal.

ORDER RETURNING UNDOCKETED APPEAL

This application was electronically received by the Board of Patent Appeals and Interferences on January 04, 2010. A review of the application revealed that it is not ready for docketing as an appeal. Accordingly, the application is herewith being returned to the Examiner to address the following matter(s) requiring attention prior to docketing.

AMENDMENT AFTER FINAL

A review of the file indicates that on February 19, 2008, Appellant filed an Amendment After Final in response to the Final Rejection mailed June 18, 2007. It is not clear whether this Amendment has been considered because an Advisory Action has not been mailed or because box 7 of an Advisory Action fails to indicate whether or not the proposed amendment will or will not be entered for purposes of appeal. Clarification from the Examiner is required.

CONCLUSION

Accordingly, it is hereby

ORDERED that the application is returned to the Examiner for further consideration.

- 1) appropriately respond to the Amendment After Final;
  - 2) vacate the Examiner's Answer mailed May 12, 2008;
  - 3) provide a new Examiner's Answer including a correct "Status of Amendment" section in addition to correction to other sections as required;
- and
- 4) for such further action as may be appropriate.

Application No. 10/620,549

If there are any questions pertaining to this Order, please contact the Board of Patent Appeals and Interferences at 571-272-9797

/jgr/

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